

MINUTES of the Regular Meeting of
the City Council of the City of Rye held in
City Hall on November 1, 2000 at 8:00 P.M.

PRESENT:

STEVEN OTIS, Mayor
CAROLYN CUNNINGHAM
ROBERTA DOWNING
ROBERT H. HUTCHINGS
ROSAMOND LARR
DOUGLAS MCKEAN
ARTHUR STAMPLEMAN
Councilmen

ABSENT:

NONE

1. Pledge of Allegiance

Mayor Otis called the meeting to order and invited the council to join in the Pledge of Allegiance.

2. Roll Call

Mayor Otis asked the City Clerk to call the roll; a quorum was present to conduct official city business.

3. Residents may be heard who have matters to discuss that do not appear on the agenda

Jessie Harper, 19 Walnut Street, Secretary of the Rye Senior Citizens Group addressed the Council on behalf of the Rye Senior Citizens, many of whom were in attendance, to express their concerns about departing for trips from the tennis court parking lot rather than from the Damiano Center. She said that the issue was one of safety because the surface is uneven and there is no lighting. She asked if the Council would consider paving the area and requested a written reply to her letter. She also asked what items were in the 2001 budget for Senior Citizens.

Mayor Otis asked the City Manager to comment about the parking situation. Manager Novak said the staff recognizes there is a problem and has authorized parking at the Damiano Center if two or more senior citizens are carpooling. She said the gravel will be re-graded in the near future.

Blacktopping the area is not anticipated at this time because of expense, but the lighting situation is already under study.

Mayor Otis said that he has yet to see the proposal for this year's budget but that requests do take time. Councilman Stampleman mentioned that the purchase of a 12 passenger van is happening as a result of a survey taken a couple of years ago. He said that the Recreation Master Plan, which will be presented on November 2 at 8:00 P.M. includes a proposal for the expansion of Damiano Center and he urged all seniors to attend and let the Council hear their reactions, both pro and con. Mayor Otis reported that the City has proceeded with a schematic design for the expansion and mentioned the capital budget includes improvements to the center, including work on the acoustics. The Mayor stressed the importance of having the Senior Citizens Group express their needs and assured the group that the Council and staff will review all aspects of the parking issue.

4. Consideration of Memorandum of Understanding between the Rye Police Association and the City of Rye, for 2001-2003

At the request of Mayor Otis, City Manager Julia Novak presented the Memorandum of Understanding between the Rye Police Association and the City of Rye for 2001-2003 for consideration, and thanked the Mayor and the Council for providing fair and equitable parameters. She thanked the members of the negotiating committee under the leadership of Timothy Chittendon for negotiating in good faith.

Mayor Otis said he felt the agreement was in line with prior agreements; that it was fair and responsible to both the City's budget goals and to the City's valued employees; and that execution prior to the expiration of the current contract was positive. He complimented both the City Manager and the Union Representatives.

Councilman Hutchings made a motion, seconded by Councilwoman Downing, to adopt the following resolution:

RESOLVED, that the Council approve the three year contract between the Rye Police Association and the City of Rye for 2001-2003.

ROLL CALL:

AYES: Mayor Otis, Councilmen Downing, Cunningham, Hutchings,
Larr, McKean and Stampleman

NAYS: None

ABSENT: None

The resolution passed.

4a. Consideration of Memorandum of Understanding between the Rye Professional Fire Fighters Association and the City of Rye, for 2001-2004

At the request of Mayor Otis, City Manager Julia Novak presented the Memorandum of Understanding between the Rye Professional Fire Fighters Association and the City of Rye for 2001-2004 for consideration, and thanked the Mayor and the Council for providing fair and equitable parameters. She thanked the members of the negotiating committee under the leadership of Richard Roode for negotiating in good faith.

Councilwoman Larr made a motion, seconded by Councilwoman Cunningham, to adopt the following resolution:

RESOLVED, that the Council approve the four year contract between the Rye Professional Fire Fighters Association and the City of Rye for 2001-2004.

ROLL CALL:

AYES: Mayor Otis, Councilmen Downing, Cunningham, Hutchings,
Larr, McKean and Stampleman

NAYS:None

ABSENT: None

The resolution passed.

Richard Roode thanked the Council and Mayor Otis thanked all bargaining groups, including the Rye Police Association, the Rye Professional Fire Fighters Association, the Civil Service Employees Association/Clerical and Public Works Units) for a job well done.

5. Discussion of the American Yacht Club's proposal for land exchange with the Town of Rye at their entrance on Stuyvesant Avenue

Mayor Otis asked for a discussion of the American Yacht Club's proposal for land exchange with the Town of Rye at their entrance on Stuyvesant Avenue as a follow-up to the presentation by the Yacht Club made to the Council on October 4, 2000. He said that since that meeting input had been received from various City boards and from City staff as well as from interested citizens. At the request of Mayor Otis, Nick Everett, a Rye resident, chairman of the Board of Architectural Review, and an American Yacht Club Trustee, reviewed the proposal to swap a portion of the "Gibbons Property" owned by the Yacht Club for the Rye Town Dock. He said the proposal evolved from a ruling by the

Zoning Board which said the Yacht Club could not utilize the Gibbons property for small boat docks unless that property was contiguous to the club. If the swap is approved, the club will own the property between the Gibbons property (south) and will be able to build their docks. The Town of Rye would be given 21,000 square feet with 300' of waterfront land for a park which would be an asset to the area and eliminate use of a pier the club considers dangerous and conducive to undesirable late night activity. Mr. Everett recognized that both the City and Town have to agree to the plan and said he hoped that Rye would take responsibility for policing the new park which they would recommend be locked from dusk to dawn.

Mayor Otis thanked Mr. Everett for his presentation and said that since the last presentation the Council has had input from the Planning Commission, the Conservation Commission, and the Recreation, Police, Boat Basin and Public Works Departments. Mr. Everett said that the Yacht Club had met with Shenorock Shore Club on 10/17; with the Planning Commission and City Planner Fred Zepf on 10/18 and with the Hen Island Association on 10/28. He invited any interested parties to visit the site on 11/12 and said they would be meeting with the Milton Point Association on 11/14. The Mayor said that an exchange of park land requires State Legislation. He said that the Town of Rye was interested in the concept and was waiting for input from the City of Rye. The City is forwarding all input, including the four page questionnaire which must be completed for any park lands being alienated or discontinued. Mr. Hutchings stated that no action was planned for this evening but that the council needed input in order to guide the City Manager. Mayor Otis invited anyone from the audience to address the council.

- Duncan Hennes, 170 Stuyvesant, said he feels the proposal is great - a good deal for Rye offering better fishing and eliminating loitering, drinking, and speeding.
- Kate Khanna, President of the Milton Point Association, said that the Board had discussed the proposal and feels the main issue is security, due to the level of undesirable late night activity. She urged the Council to address the issue of better policing in the area. Mayor Otis said that the police do have authority to enforce laws in the area. She said she would have complete comments from the association after their upcoming meeting.
- Joe McBrien, President of Shenorock Shore Club (SSC), speaking on behalf of the club, said that the proposed swap has a noble goal, as many of the issues also affect Shenorock. He said that the plan needed more study and that Shenorock has several concerns:
 - 1) Traffic, congestion, and parking. The proposed entrance to the new park would be almost opposite the entrance to Shenorock
 - 2) Security. The park would closely overlook Shenorock's dock space and as the space would not be secured from the water there would be easy access to Shenorock's boat docks.
 - 3) Environment. Use of the park for consumption of food and beverage would likely produce garbage.
 - 4) Safety. The crumbling wall would be dangerous.

He emphasized again that the Club applauds the goal but it appears that the problems are not necessarily being solved, but are being moved from the Yacht Club's doorstep to Shenorock's. They wish to be cooperative and good neighbors but urge careful and complete study of all the issues before the proposal proceeds any further than it already has.

Mayor Otis assured Mr. McBrien that the proposal is not really far along. He said that the Yacht Club had been asked to put their proposal in writing and present it to the Council and the goal of the Council now is to hear all points of view so that a solution to the situation can be worked out to everyone's satisfaction. He said he was thrilled to see so many people in attendance and that even since October 4 the Council has been made aware of a whole set of issues, including Waterfront Revitalization, which will need to be addressed.

- Megan Corbett, SSC member, Milton Point resident, mentioned that she lived opposite Rye Town Park and that even though it closes at "dusk" people use it "late and loudly" and that a closed gate does not prevent after dark use.
- Tony Spaeth, a non-club member but a resident of Rye without water access, said he felt the park would be very appealing for all of Rye. He said that he looked forward to watching the sunset which will continue after dusk so he urged extended hours.
- Jan Lowry, a Rye resident, asked who would be able to use the docks planned by the Yacht Club (they will be private property) and the park (open to everyone)
- George Hubbard, Topsail Lane and AYC member, said he thought this was a great opportunity to solve the late night problem and would support the idea as long as the security issue was firmly addressed.
- Jono Peters, AYC member, said he thought this was a win/win situation for everyone and a tremendous opportunity to provide a user friendly space for small craft. He said he could not underestimate the "bad" activity which takes place nightly.
- Mike Larkin, Rye resident and Rye Police Officer, asked how much land the Yacht Club will gain and said that the Rye Police already has jurisdiction over the area.
- Alex Gengi, SSC member, voiced the need to address the safety issue, citing that daytime traffic is already bad and more cars would be a concern.
- Peter McHugh, SSC member, said that he hoped the Council would consider alternative proposals such as refurbishing the dock, using the land for something else. Mayor Otis pointed out that the state would require swapping parkland for parkland.
- Megan Callahan, Forest Ave. resident, said she feels that particularly from November on there are lots of "unsavory characters and wondered if more parking and more space wouldn't create more problems.

- John Barrett, SSC member, concerned about security, asked if the City could gate the pier. Mayor Otis said that the City doesn't own it so it can't. Councilman McKean said that the City does own the parking spaces (at least that portion near the road).
- Paul Kalcut, SSC member, voiced concern about the parking saying that there was already a lot of day traffic. He said that while 12 parking spaces were proposed, there was no limit on the number of people who traveled to the park and he wondered where those who arrived after the 12 spaces were filled would park.
- Wendy Davis, SSC member, confirmed that the day traffic and safety problems were already bad and urged the Council to manage the existing problems, such as parking at Durland Scout Center, before adding new ones.
- John Carey, Esq., Rye resident (44 years), SSC member and former mayor, asked the council to consider two additional issues:
 - The ownership of Underwater land. He referred back to the original grant from 1720 which granted land, but not water and urged the Council to investigate what underwater grants exist. He said if no grant exists then the pier still belongs to the people of New York.
 - He asked if the pier really belongs to the Town of Rye? He said if there is an agreement to the contrary then perhaps it is half the City's and half the Towns. He urged the Council to investigate. (Mayor Otis thanked Judge Carey for his wise comments.)
- Peter Barrett, former president of the Hen Island Association, reported that residents of Hen Island use the Marina, but that the shortest route is to the stone pier which, during the winter, is the only public access. In response to a question from Councilwoman Dowling, he said the pier area is where their guests park. If they parked at the new park they could be locked in. Mr. Everett said that they are allowed to use the yacht club's docks twice a year.
- Marjorie Orza, a Rye resident, wanted to know how this will benefit the City and if it will cost the City. The mayor said the process was not far enough along to answer that question and Councilman Stampleman said that at minimum there would be additional cost for policing the new area.

The Mayor thanked all participants and suggested that Mr. Everett respond to the suggestions in writing and submit his response to the Council. Mr. Everett said that the key to the issue is clearly safety and security, but that making the dock more secure did not solve the yacht club's need for contiguous property. Several members of the Council raised questions. Councilman Stampleman asked if the same users as now could launch the same boats in the new park. Mr. Everett replied in the affirmative. Mr. McKean asked about the entrance to the park in relationship to Shenorock's entrance (about 50 feet), and wondered about moving it further toward the yacht club. Mr. Everett said this would result in the loss of at least one tree. Councilwoman Cunningham said it was her impression that the topography was not conducive to launching a boat but Mr. Everett said it could be graded. Councilman Stampleman said he wanted to know more about the security, traffic and legal issues and

urged the Council to consider what the City can do about these issues, regardless of the outcome of the proposal. He urged the Police and City Manager to consider solutions. Councilwoman Downing suggested that the safety issues mentioned on Stuyvesant Avenue might be helped by moving the rocks back from the road.

Mayor Otis concluded the discussion by thanking everyone for coming and saying that everyone will do more research on the issues raised and will get the new information out to everyone.

Both Councilwomen Downing and Larr, as members of American Yacht Club, indicated they will abstain from the final decision making process.

6. Discussion of the proposed traffic signal on the Boston Post Road at Johnson Place/Barlow Lane

Mayor Otis welcomed representatives of The Preserve for additional discussion on the proposed traffic signal on the Boston Post Road at Johnson Place/Barlow Lane. Thierry Haase, President of the Homeowners Association of The Preserve, informed the council that the Association continues to feel strongly that speed in the area is the issue and that the installation of a light is not the solution.

The Mayor responded that the Traffic and Transportation Committee continues to recommend the installation. The Mayor indicated that he had spoken to the Chairman of the committee who provided the following background information regarding the light: 1) that this is the most dangerous area in Rye in terms of accidents with four, so far, this year, continuing a trend from prior years; 2) that the light was requested at a 1998 Traffic and Transportation forum by Greenhaven residents; 3) that there was a light there for many years that was destroyed during an accident and never replaced; 4) that the number of accidents in the area increased after the light was no longer there; 5) that The Preserve has created more traffic and that the warrant criteria for this intersection was met even before The Preserve was constructed. The Mayor commented that the city's experts agree and continue to recommend the installation of the light; and it is the responsibility of the council is to make a decision based upon safety concerns.

Mr. Haase reported that since The Preserve has been built there have been no serious accidents and that the traffic study, which recommends a slower speed, reported that an average speed is 45 mph. He suggested that it would be good to improve the visibility for those exiting from Barlow Lane before installing a light. He pointed to the dangers which still exist at the Oakland Beach/Boston Post Road intersection and suggested that lights are not always the answer. The Mayor replied that many requests for lights have been rejected by the committee so that there is no evidence that the City reacts automatically to all requests.

The Mayor invited other citizens to address the council on this matter:

- Robert Garland, Keyes Court, said there are many possible solutions and asked the council to consider signs, flashing lights, reducing the speed limit, improvement of sight lines for the Greenhaven side before installing a light. He feels a light will decrease the quality of life and homeowner values for those in the area, would be noisy, confusing, cause more accidents, and would be "overkill." The Mayor said that all signs would have to meet current standards.
- Gail Florio, President of the Greenhaven Association, said that, although they have not met, her feeling is that they are not in favor of the light and would urge drivers to enter Greenhaven at the other entrances.
- Marcia Kapilow, resident of Greenhaven, former member of the council and Traffic and Transportation Committee, reviewed the history of the light saying that there is no question it is dangerous, that, at the suggestion of experts, the road was repaved in order to solve the problem and that hasn't helped; that it was not replaced in the past because the value at the time was in question. She said she was not in favor of the light because of the "sitting duck" factor (waiting to turn and having drivers rear end you); that it would be red more often than you think; would add to air pollution; be an eyesore to the Historic Boston Post Road District; won't help; and will add to the problems.
- Richard Swinghamer, The Preserve, said the traffic study indicated that 7 of 9 of the accidents would not have been helped by a light and therefore Warrant 6 (which says there have to be a certain number of situations helped by a light) doesn't apply. He questioned why a light at Park Ave. might not be even better, and urged the council to find a better, less expensive solution. The City Manager informed everyone that the law says that at least one warrant condition has to be met and that the traffic study indicated the "speed and volume" condition was met.
- Marilyn Miller, one of the recent accident victims, reported that she is not in favor of the light because she feels it would increase the possibility of being rear ended.
- Diana Niles, The Preserve, mentioned the dangers of the sun glare and suggested the installation of a speed monitor like the one used on Playland Parkway.

In response to these comments Councilwoman Cunningham agreed with Councilman Hutchings that the glare of the sun is, and has been, a problem in the past. The mayor commented that he had been informed that the light, using current bulb standards, was designed for visibility to address these issues. Councilwoman Cunningham said she remembered the previous traffic light at Barlow Lane and feels that traffic did seem to move faster once it was gone, but that a light is not necessarily to control speed. Councilwoman Larr reported that during a time when she monitored the area everyone seemed to be driving safely. Councilman McKean said that the speed issue was really hitting home and questioned why this was a council decision. Councilman Stampleman said that his concern was how to improve safety and calm the traffic. Councilman Hutchings said that he had great respect for the Traffic and Transportation Committee and had been willing to vote for the light, but after listening to the concerns of the citizens he would like the City Manager to take a look at some of the alternatives which had been suggested. Mayor Otis assured the citizens that the council will communicate the issues raised

by the Traffic and Transportation Committee. He reemphasized that the Council continues to be troubled about providing safety for everyone; that they will continue to get answers to questions raised and that the debate will continue until the right solution can be reached.

7. Discussion of the next steps regarding the Joint City/School Traffic Study

Mayor Otis introduced the discussion of the next steps regarding the Joint City/School Traffic Study. Councilwoman Downing suggested that the rocks along Stuyvesant Avenue and other areas be moved back from the street and that the City Manager should look into sending out a "rock" letter urging homeowners to comply with the suggestion.

Councilman Hutchings made a motion, seconded by Councilman McKean and unanimously approved, to postpone the discussion of this agenda item to the November 15 meeting.

8. Resolution authorizing the transfer of \$32,000 from the Fee in Lieu of Parking Fund to the Capital Projects Fund to finance a Central Business District Parking Study

Mayor Otis asked the council to authorize the transfer of \$32,000 from the Fee in Lieu of Parking Fund to the Capital Projects Fund to fund a central business district parking study. He mentioned that John Alfano had suggested that it may be illegal to have an "in lieu of" fund. The City Manager assured the Council that the City has stopped charging this fee but that it is appropriate to use the already existing funds for the parking study.

Councilman Stampleman made a motion, seconded by Councilman McKean to adopt the following resolution:

WHEREAS, the City of Rye Parking Working Group has recommended that a parking study be performed in the central business district; and

WHEREAS, the estimated cost of said parking study is \$32,000; and

WHEREAS, the fiscal 2000 budget did not provide for the funding of said parking study; and

WHEREAS, sufficient funds exist in the Fee in Lieu of Parking Fund, which was established to provide funding for parking improvements in the central business district, now, therefore, be it

RESOLVED, that the City Comptroller is authorized to establish a Central Business District Parking Study project in the Capital Projects Fund with a budget of \$32,000; and be it further

RESOLVED, that the City Comptroller is authorized to transfer \$32,000 from the Fee in Lieu of Parking Fund to the Capital Projects Fund to fund the Central Business District Parking Study project.

ROLL CALL:

AYES: Mayor Otis, Councilmen Downing, Cunningham, Hutchings,
Larr, McKean and Stampleman

NAYS:None

ABSENT: None

The resolution passed.

9. Resolution authorizing the City Manager to enter into an agreement with Buckhurst Fish & Jacquemart, Inc. for the purpose of conducting a Parking Study for the Central Business District

Councilman McKean made a motion, seconded by Councilwoman Larr to adopt the following resolution:

RESOLVED, that the City Manager is hereby authorized to enter into an agreement with Buckhurst Fish & Jacquemart, Inc. for the purpose of conducting a Parking Study for the Rye Central Business District.

ROLL CALL:

AYES: Mayor Otis, Councilmen Downing, Cunningham, Hutchings,
Larr, McKean and Stampleman

NAYS:None

ABSENT: None

The resolution passed

10. Authorization for the City Manager to enter into an agreement with the County of Westchester for the purchase of a Twelve Passenger and One Wheelchair Position Senior Bus under the Westchester Urban County Community Development Project

Mayor Otis asked the Council to authorize the City Manager to enter into an agreement with the County of Westchester for the purchase of a twelve passenger and one wheelchair position senior bus under the Westchester Urban County Community Development Project. Councilman Stampleman said that he hoped that the bus would be used specifically for seniors but Councilman Hutchings said he

thought it would be fine if the Recreation Department used it if it were not being used by the seniors. The Council agreed that there need to be funds for a bus driver.

Councilman Stampleman made a motion, seconded by Councilman McKean to adopt the following resolution:

RESOLVED, that the City Manager is hereby authorized to enter into an agreement with the County to purchase a senior bus under the Community Development Block Grant Program

ROLL CALL:

AYES: Mayor Otis, Councilmen Downing, Cunningham, Hutchings,
Larr, McKean and Stampleman

NAYS:None

ABSENT: None

The resolution passed

11. Consideration of the request of the Cystic Fibrosis Foundation to use city streets for the 13th Annual Great Strides Walk on Sunday, May 20, 2001

Councilwoman Larr made a motion, seconded by Councilman McKean and unanimously carried to approve the request of the Cystic Fibrosis Foundation to use city streets for the 13th Annual Great Strides Walk on Sunday, May 20, 2001.

12. Draft unapproved minutes of the regular meeting of the City Council held October 18, 2000, and the special meeting held October 24, 2000

Councilwoman Cunningham made a motion, seconded by Councilwoman Larr and unanimously carried, to approve the minutes of the regular meeting of the City Council held October 18, as amended.

Councilman Hutchings made a motion, seconded by Councilman McKean and unanimously carried to approve the minutes of the special meeting of the City Council held October 24, as submitted.

13. Miscellaneous communications and reports

Councilwoman Larr reported that the joint meeting of the Board of Architectural Review, the Landmarks Advisory Committee and the Library was well run and well organized and that good progress is being made. A new architect has submitted a different preliminary design for the Library addition which was well received. Councilman McKean agreed that everything appears to be moving ahead but that the Planning Commission still has to vote on the change from a southern addition to a northern one and that the formal application has not yet been submitted.

Councilman Stampleman urged everyone to attend the public hearing for the Rye Recreation Master Plan on November 2.

Councilwoman Cunningham asked who would be attending the Long Island Sound Watershed Intermunicipal Council meeting and agreed, at the request of Mayor Otis, to attend as Deputy Mayor.

Mayor Otis asked City Manager Novak to introduce her new staff member, Julie Schmitter. Manager Novak said she was delighted to have Julie on board and that she had requested her to work on many projects, including Project Impact.

Mayor Otis reminded everyone that Wednesday, November 15 at 5:00 PM was the deadline to renew parking permits. He stressed the importance of timely submission and said there can be no exceptions accepted.

Councilwoman Downing reported that she had received several complaints concerning the disreputable state of the downtown area, particularly behind Starbucks and suggested that perhaps the City needs to provide more people to clean up. Mayor Otis responded that the owners are responsible for cleaning up on sidewalks and that the Starbuck's problem was unique because there is not back door, but a side door facing Elm Street. Manager Novak added, at the request of Mayor Otis, that the City had added an extra person three times/week and on Saturdays but perhaps it needs to be more often.

Councilwoman Larr commented that there are still complaints about the inadequate presence of the police in the downtown area. She also commented on the traffic congestion caused by SUV's trying to park in the area. At the request of Mayor Otis, Manager Novak commented that extra coverage was in the budget but there was often no way of assigning shifts. She agreed that they should have a greater presence. Concerning the SUV's, she suggested that perhaps U turns on Purchase should be banned. Manager Novak indicated she will review the rules for U turns on Purchase Street.

14. Old Business

Councilman McKean asked the City Manager if there was any progress on the Boston Post Road retaining wall and Con Edison. Manager Novak reported that she had received a letter from Con Edison saying they had abandoned the idea of running lines underground. While this is regrettable she said the City is at least free to move ahead and would re-bid the project in the spring for work next

summer. Councilman McKean suggested that it might be better to bid at year-end as the City might get a better price and have more time to get everything done. The City Manager said she would speak with the City Engineer.

15. New Business

Councilwoman Downing suggested that the Council consider supporting the Library's capital project with a special donation of about \$500,000. Mayor Otis pointed out that the amount given for operating support for the Library in recent years has been a larger percentage than in the past. Councilman McKean said he was more comfortable with increasing the operating budget support because the Library will have a bigger building and because the City of Rye is still not up to the support level of other communities.

Councilwoman Downing suggested that in the future the council needs to discuss the City policy concerning sidewalks at a workshop.

Councilwoman Downing made a motion, seconded by Councilwoman Cunningham and unanimously carried, to adjourn to executive session at 11:05 P.M. to discuss a litigation matter relating to the Osborn tax certiorari issue.

Councilwoman Downing made a motion, seconded by Councilwoman Larr and unanimously carried, to close the executive session at 11:15 P.M. and return to open session.

15a. Authorization for the City Manager and Corporate Counsel to negotiate a cost-sharing arrangement for non-attorney experts related to Osborn litigation with the schools

Councilwoman Cunningham made a motion, seconded by Councilwoman Downing and unanimously carried to adopt the following resolution:

RESOLVED, that the City Manager and the Corporation Counsel negotiate a cost-sharing arrangement with the schools for non-attorney experts related to the Osborn litigation in line with the 16:58 ratio and,

RESOLVED, that the arrangement should relate to the cost-sharing formula, and include the scope of work and a description of the experts who will be involved.

16. Adjournment

There being no further business to discuss, Councilman Hutchings made a motion, seconded by Councilwoman Downing and unanimously carried, to adjourn the meeting at 11:18 P.M.

Respectfully submitted,

Susan A. Morison
City Clerk